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Attorney Docket No.: 15966-748 CON (Cura-248 CON)

Express Mail Label No.: EV058075149US

Dated Deposit: March 1, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Majumder et al.

SERIAL NUMBER:

10/044,643

EXAMINER:

Not Yet Assigned

FILING DATE:

January 11, 2002

ART UNIT:

Not Yet Assigned

For:

Novel Proteins and Nucleic Acids Encoding Same

Box IDS

Assistant Commissioner for Patents Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Information Disclosure Statement (1 page), in duplicate;
- 2. Modified Form 1449/PTO (3 pages) in duplicate;
- 3. Copies of cited references B1-B7 and C80-81; and
- 3. Return Postcard

No fee is believed to be due at this time. However, the Commissioner is authorized to charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 15966-748 CON (Cura-248 CON). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

Respectfully submitted,

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Dated: March 1, 2002

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INFORMATION DISCLOSURE STATEMENT

Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, in the above-identified case. Accordingly, no fee or certification is believed required. A copy of each of the references is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 Reference No. 15966-748 CON (Cura-248 CON).

Respectfully submitted,

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Issue Date

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INFORMATION DISCLOSURE **STATEMENT BY APPLICANT**

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U.S. Patent

Document No.

01/87937

Application Number	10/044,643 01/11/02			
Filing Date				
First Named Inventor	Majumder			
Group Art Unit	Not Yet Assigned			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	15966-748 CON (Cura-248 CON)			

Class

11/22/01

	A1*	5,436	,155 07/25	95 Bell et al.		12/31/91	
	·			FOREIGN PATENT DOCUMEN	TS		
Exam Initials	Cite No.	Foreig	gn Patent Documer Number	Name of Patentee(s) or Applicant(s)	nt(s) Date of Publication	Translation Yes No	
	B1	EP	0 867 508	Smithkline Beecham Corporatio	n 09/30/98		
	B2	wo	96/30406	Human Genome Sciences, Inc.	10/03/96		
	B3	wo	01/36471	Arena Pharmaceuticals, Inc.	05/25/01		
	B4	wo	01/36473	Pharmacia & Upjohn Company	05/25/01		
	B5	wo	01/73029	PE Corporation	10/04/01		
	В6	wo	01/77320	Bayer Aktiengesellschaft	10/18/01		

Incyte Genomics, Inc.

U.S. PATENT DOCUMENTS

Name of Patentee(s) or Applicant(s)

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C1*	Asai, H., H. Kasai, et al. (1996). "Genomic structure and transcription of a murine odorant receptor gene: differential initiation of transcription in the olfactory and testicular cells." Biochem Biophys Res Commun 221(2): 240-247.					
	C2*	GenBank Accession Number: 113406 (July 26, 1995)					
	C3*	Ben-Arie, N., D. Lancet, et al. (1994). "Olfactory receptor gene cluster on human chromosome 17: possible duplication of an ancestral receptor repertoire." Hum Mol Genet 3(2): 229-35.					
	C4*	GenBank Accession Number: Q9WVN4 (November 1, 1999)					
	C5*	GenBank Accession Number: Q9WVN5 (November 1, 1999)					
	C6*	GenBank Accession Number: Q9WVN6 (November 1, 1999)					
C7* GenBank Accession Number: AF071080 (December 20, 2000) C8* Buck, L. and R. Axel (1991). "A novel multigene family may encode basis for odor recognition." Cell 65(1): 175-87. C9* GenBank Accession Number: NP_038647 (December 28, 2000) C10* GenBank Accession Number: Q9Y5P1 (August 20, 2001) C11* GenBank Accession Number: Q9Y5P0 (August 20, 2001)		GenBank Accession Number: AF071080 (December 20, 2000)					
		Buck, L. and R. Axel (1991). "A novel multigene family may encode odorant receptors: a molecular basis for odor recognition." Cell 65(1): 175-87.					
		GenBank Accession Number: NP_038647 (December 28, 2000)					
		GenBank Accession Number: Q9Y5P1 (August 20, 2001)					
		GenBank Accession Number: Q9Y5P0 (August 20, 2001)					
	C12*	GenBank Accession Number: Q9WVD7 (November 1, 1999)					
	C13*	GenBank Accession Number: Q9WVD8 (November 1, 1999)					
	C14*	GenBank Accession Number: AF133300 (December 20, 2000)					
	C15*	GenBank Accession Number: AF137396 (December 20, 2000)					
	C16*	GenBank Accession Number: Q9WVD9 (November 1 1999)					
	C17*	GenBank Accession Number: NP_038648 (December 28, 2000)					

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Exam	Cite	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
Initials		
-	C18*	GenBank Accession Number: NP_038649 (December 28, 2000)
FE	C19*	GenBank Accession Number: AAG41676 (December 20, 2000)
	C20*	GenBank Accession Number: AAG41684 (December 20, 2000)
0 1 2002	C21*	GenBank Accession Number: AAG41688 (December 20, 2000)
	C22*	GenBank Accession Number: AAG41679 (December 20, 2000)
	C23*	GenBank Accession Number: AAG41683 (December 20, 2000)
A TUE A A COM	C24*	GenBank Accession Number: AAG41678 (December 20, 2000)
	C25*	GenBank Accession Number: AAG42368 (December 26, 2000)
	C26*	GenBank Accession Number: AF289204 (December 26, 2000)
	C27*	GenBank Accession Number: AAG41685 (December 20, 2000)
	C28*	GenBank Accession Number: CAC21550 (January 11, 2001)
	C29*	GenBank Accession Number: AJ301623 (January 11, 2001)
	C30*	GenBank Accession Number: AAD51279 (October 28, 1999)
	C31*	GenBank Accession Number: Q9UKL2 (August 20, 2001)
	C32*	GenBank Accession Number: P49652 (July 15, 1998)
	C33*	GenBank Accession Number: AAA18784 (June 6, 1994)
	C34*	GenBank Accession Number: Q9WV26 (August 20, 2001)
	C35*	GenBank Accession Number: Al557139 (March 23, 1999)
	C36*	Issel-Tarver, L. and J. Rine (1996). "Organization and expression of canine olfactory receptor genes Proc Natl Acad Sci U S A 93(20): 10897-902.
	C37*	GenBank Accession Number: P29089 (November 1, 1997)
	C38*	GenBank Accession Number: CAB89291 (May 1, 2000)
	C39*	Krautwurst, D., K. W. Yau, et al. (1998). "Identification of ligands for olfactory receptors by functional expression of a receptor library." Cell 95(7): 917-26.
	C40*	GenBank Accession Number: AAG40776 (December 17, 2000)
	C41*	GenBank Accession Number: AF311306 (December 17, 2000)
	C42*	Malnic, B., J. Hirono, et al. (1999). "Combinatorial receptor codes for odors." Cell 96(5): 713-23.
	C43*	GenBank Accession Number: AF121979 (April 25, 1999)
	C44*	GenBank Accession Number: Q9WU93 (November 1, 1999)
	C45*	GenBank Accession Number: NP_064688 (November 1, 2000)
<u> </u>	C46*	GenBank Accession Number: AAD27596 (December 7, 1999)
	C47*	GenBank Accession Number: NP_064686 (November 1, 2000)
	C48*	GenBank Accession Number: Q9WU90 (November 1, 1999)
	C49*	GenBank Accession Number: Q9WU89 (November 1, 1999)
	C50*	
—	C51*	GenBank Accession Number: Q9WU93 (November 1, 1999)
-	C52*	GenBank Accession Number: AF121976 (December 7, 1999)
 	C52	GenBank Accession Number: Q9WU94 (November 1, 1999)
-	C54*	GenBank Accession Number: XP_003874 (July 16, 2001)
-	C55*	GenBank Accession Number: U09842 (June 6, 1994)
ļ	C56*	GenBank Accession Number: D10923 (February 3, 1999)
-	C56*	GenBank Accession Number: P49019 (August 20, 2001)
ļ	C58*	GenBank Accession Number: 169202 (May 19, 2000)
	C58*	Online Mendelian Inheritance in Man (OMIM): 164342 (Downloaded 9/28/01)
		GenBank Accession Number: AF079864 (February 5, 1999)
1	C60*	GenBank Accession Number: O88628 (November 1, 1998)

Express Mail No.: EV058075149US Date of Deposit: March 1, 2002

Γ	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
	Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.			
		C61*	GenBank Accession Number: AAD12761 (February 5, 1999)			
Γ		C62*	GenBank Accession Number: Q9YH55 (May 1, 1999)			
3 6	\	C63*	GenBank Accession Number: AAD03349 (January 7, 1999)			
Γ	6	C64*	GenBank Accession Number: L17432 (January 7, 1999)			
1 200	<u> </u>	C65*	Parmentier, M., F. Libert, et al. (1992). "Expression of members of the putative olfactory receptor gene family in mammalian germ cells." Nature 355(6359): 453-5.			
	S. S	C66*	Rouquier, S., C. Friedman, et al. (1998). "A gene recently inactivated in human defines a new olfactory receptor family in mammals." Hum Mol Genet 7(9): 1337-45.			
A A GV		C67*	GenBank Accession Number: JH0621 (August 17, 1992)			
Γ		C68*	GenBank Accession Number: AAB22269 (May 8, 1993)			
		C69*	GenBank Accession Number: CAC17790 (December 3, 2000)			
		C70*	GenBank Accession Number: AAF26668 (January 20, 2000)			
Γ	-	C71*	GenBank Accession Number: AF140708 (January 20, 2000)			
		C72*	GenBank Accession Number: AR009514 (December 4, 1998)			
		C73*	Thomas, M. B., S. L. Haines, et al. (1996). "Chemoreceptors expressed in taste, olfactory and male reproductive tissues." Gene 178(1-2): 1-5.			
		C74*	Vanderhaeghen, P., S. Schurmans, et al. (1997). "Specific repertoire of olfactory receptor genes in the male germ cells of several mammalian species." Genomics 39(3): 239-46			
		C75*	Walensky, L. D., M. Ruat, et al. (1998). "Two novel odorant receptor families expressed in spermatids undergo 5'- splicing." J Biol Chem 273(16): 9378-87.			
		C76*	GenBank Accession Number: AC020597 (July 7, 2000)			
		C77*	GenBank Accession Number: P34996 (December 15, 1998)			
		C78*	Xie, S. Y., P. Feinstein, et al. (2000). "Characterization of a cluster comprising approximately 100 odorant receptor genes in mouse." Mamm Genome 11(12): 1070-8.			
		C79*	GenBank Accession Number: O00270 (August 20, 2001)			
Ī		C80	Rouquier et al. (1998). Nature Genetics 18: 243-250.			
	-	C81	Invitation to Pay Additional Fees with the Partial International Search Report for PCT/US01/10241 mailed February 5, 2002.			

^{*} a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No.09/823,172, filed March 29, 2001, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

	Examiner Signature	Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

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